

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY ROME

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E.O. 11652:N/A

TAGS: EAIR, IT

SUBJECT: CIVAIR: GROUND SERVICES AT ROME AIRPORTS

REF: ROME 6038 AND PREVIOUS

FOLLOWING IS TEXT OF AIDE MEMOIRE ASST. SECRETARY ENDERS
HANDED TO ITALIAN AMBASSADOR ORTONA ON APRIL 25:

"THE U.S. IS CONCERNED OVER THE SITUATION RESULTING FROM
THE RECENT CREATION OF THE SOCIETA AEROPORTI DI ROME (SAR)
TO TAKE OVER VIRTUALLY ALL GROUND HANDLING SERVICES AT ROME
AIRPORTS ON A MONOPOLY BASIS. LAW NO. 755 OF NOVEMBER 10,
1973, WHICH CREATED SAR, GRANTS IT THE SOLE RIGHT TO AWARD
CONCESSIONS AT THE ROME AIRPORTS AND AUTHORIZES IT TO
ASSUME ALL GROUND HANDLING SERVICES, INCLUDING PASSENGER
CHECK-IN. IN EXERCISING ITS AUTHORITY, HOWEVER, SAR EX-
CLUDED ALITALIA FOR AN INDEFINITE PERIOD FROM THE REQUIRE-
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MENT THAT SAR PERFORM ALL GROUND SERVICES AT THE ROME AIR-

PORTS. THIS COMBINATION OF FACTORS CREATES A SITUATION WHICH IS DISCRIMINATORY WITH RESPECT TO U.S. AND OTHER FOREIGN AIRLINES.

"THE DEPARTMENT OF STATE HAS RECENTLY LEARNED THAT THE

SITUATION IS CONSIDERABLY MORE SERIOUS THAN ORIGINALLY ANTICIPATED. SAR NOW CONTEMPLATES THAT THE SALES AND INFORMATION BOOTHS OF ALL AIRLINES, EXCEPT ALITALIA, WILL BE CLOSED AT THE ROME AIRPORTS AND THAT SAR WILL TAKE OVER THIS FUNCTION AS WELL. CLOSURE OF THE U.S. AIRLINES' TICKETING FACILITIES WOULD VIOLATE THE "FAIR AND EQUAL OPPORTUNITY" PROVISION OF ARTICLE 9 (A) OF THE U.S.-ITALY AIR TRANSPORT AGREEMENT, SINCE THE ITALIAN AIRLINE IS FREE TO PERFORM ITS OWN TICKETING SERVICES AT ROME AIRPORTS. MOREOVER, SUCH ACTION WOULD RAISE A SERIOUS ISSUE OF RECIPROCITY SINCE ALITALIA REMAINS FREE TO USE ITS OWN FACILITIES, OR ENGAGE AGENTS OF ITS CHOICE, IN THE U.S. IT APPEARS THAT SUCH A PRACTICE IS COMPARABLE ONLY WITH THE COMMERCIAL ENVIRONMENT FOREIGN AIRLINES FACE IN EASTERN EUROPE AND THE SOVIET UNION.

"IN ILLUSTRATING THE SERIOUSNESS OF THE SITUATION, THE DEPARTMENT OF STATE MUST POINT OUT THAT THE CIVIL AERONAUTICS BOARD IS UNDER A LEGISLATIVE MANDATE, THE INTERNATIONAL AIR TRANSPORTATION FAIR COMPETITIVE PRACTICES ACT OF 1974, TO MAKE PERIODIC REPORTS TO THE U.S. CONGRESS ON FOREIGN DISCRIMINATORY PRACTICES WHICH AFFECT U.S. AIRLINES. UNDER THIS MANDATE, THE DEPARTMENT IS REQUIRED TO PARTICIPATE IN DETERMINING IF DISCRIMINATION IS IN FACT DIRECTED AGAINST U.S. AIRLINES IN A PARTICULAR COUNTRY AND IN SUCH CASES TO MAKE RECOMMENDATIONS CONCERNING THE TYPE AND EXTENT OF COUNTERMEASURES TO BE APPLIED TO THE FOREIGN AIRLINE OF THE COUNTRY INVOLVED. OBVIOUSLY, THE SITUATION AT THE ROME AIRPORTS IS PRECISELY THE TYPE OF SITUATION CONTEMPLATED BY THIS LEGISLATIVE MANDATE.

"THE U.S.G. HAS STRONGLY PROTESTED THE PROPOSED CLOSURE OF THE TICKETING AND SALES FACILITIES AT THE ROME AIRPORTS LIMITED OFFICIAL USE

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OF PAN AMERICAN WORLD AIRWAYS AND TRANS-WORLD AIRLINES. THE DEPARTMENT TRUSTS THAT THE FINAL IMPLEMENTATION OF SAR'S AUTHORITY WILL IN NO CASE INCLUDE THE CLOSURE OF U.S. AIRLINES' TICKETING FACILITIES.

"DEPARTMENT OF STATE,
"WASHINGTON." KISSINGER

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